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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/570,905 | 03/07/2006 | Paul B. Stoepelwerth | 1901-003 US | 1643 |
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| EXAMINER | | | | |
| ESTRADA, ANGEL R | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 2831 | | | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/570,905

Applicant(s)

STOEPPPELWERTH, PAUL B.

Examiner

Angel R. Estrada

Art Unit

2831

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1 The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 29 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated Dorn (US 4,944,694).

Regarding claim 29, Dorn discloses a. portable power outlet protection system (see figure 1), comprising: a manifold (2) comprising a first portion and a second portion (see figure 1); at least one power outlet (12) located within said manifold (2); and, a child-resistant means (8) for securing said portions in a closed position (see figure 1).

Regarding claim 30, Dorn discloses the system (see figure 1), further comprising means for gathering and storing electrical cord within said manifold (see figure 1).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 15, 17-21 and 23-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dorn (US 4,944,694) in view of Ware (US 3,980,197)

Regarding claim 15, Dorn discloses a portable power outlet protection system (see figure 1), comprising: a manifold (2) comprising a first portion and a second portion (see figure 1); means (8) for securing said portions in a closed position (see figure 1); at least one power outlet (12) positioned within said manifold (2); but Dorn lacks at least a part of said manifold is constructed of fire-resistant material. Ware teaches a manifold (22) having at least a part constructed of fire-resistant material (see column 2 lines 46-53). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make at least one part of said manifold constructed of fire resistant material as taught by Ware to provide means for resistance against fire.

Regarding claim 17, Dorn discloses the system (see figure 1), wherein said manifold (see figure 1) further comprises at least one ventilation aperture (26 or 22).

Regarding claim 18, Dorn discloses the system (see figure 1), wherein said manifold (see figure 1) further comprises at least one conduit aperture (20).

Regarding claim 19, Dorn discloses the system (see figure 1), comprising means (see figure 1) for gathering and storing electrical cord within said manifold (see figure 1).

Regarding claim 20, Dorn discloses the system (see figure 1), further comprising means (see figure 1) for attaching said outlet (12) to the interior of said manifold (see figure 1).

Regarding claim 21, Dorn discloses a portable power outlet protection system (see figure 1), comprising: a manifold (2) comprising a first portion and a second portion (see figure 1); at least one power outlet (12) located within said manifold (2); a child-resistant means (8) for securing said portions in a closed position; but Dorn lacks at

least a part of said manifold is constructed of fire-resistant material. Ware teaches a manifold (22) having at least a part constructed of fire-resistant material (see column 2 lines 46-53). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make at least one part of said manifold constructed of fire resistant material as taught by Ware to provide means for resistance against fire.

Regarding claim 23, Dorn discloses the system (see figure 1), wherein said manifold (see figure 1) further comprises at least one ventilation aperture (26 or 22).

Regarding claim 24, Dorn discloses the system (see figure 1), wherein said manifold (see figure 1) further comprises at least one conduit aperture (20).

Regarding claim 25, Dorn discloses the system (see figure 1), comprising means (see figure 1) for gathering and storing electrical cord within said manifold (see figure 1).

Regarding claim 26, Dorn discloses the system (see figure 1), further comprising means (see figure 1) for attaching said outlet (12) to the interior of said manifold (see figure 1).

Regarding claim 27, Dorn discloses a method for protecting a portable power strip (see figure 1), comprising the steps of: acquiring a manifold (2) having: a first portion; a second portion releasably attached to said first portion (see figure 1) wherein said portions define an interior (see figure 1); and a power strip (12) with surge protection located within said interior; and plugging at least one electrical cord into said power outlet (see figure 1); but Dorn lacks at least a part of said manifold is constructed of fire-resistant material. It would have been obvious to one of ordinary skill in the art at

the time the invention was made to make at least one part of said manifold constructed of fire resistant material as taught by Ware to provide means for resistance against fire.

Regarding claim 28, Dorn discloses the method (see figure 1), further comprising the step of providing a child- resistant means (8) for securing said portions in a closed position (see figure 1; column 2 lines 26-31).

3. Claims 16 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated Dorn (US 4,944,694) in view of Ware (US 3,980,197) and further in view of Frechette (US 6,138,853).

Regarding claim 16, Dorn discloses the claimed invention except for the manifold further comprises means for skid-resistance. Frechette teaches a manifold having skid resistance means. It would have been obvious to one of ordinary skills in the art at the time the invention was made to make Dorn's manifold with skid-resistance means to provide means for preventing the manifold from sliding in a giving surface.

Regarding claim 22, Dorn discloses the claimed invention except for the manifold further comprises means for skid-resistance. Frechette teaches a manifold having skid resistance means. It would have been obvious to one of ordinary skills in the art at the time the invention was made to make Dorn's manifold with skid-resistance means to provide means for preventing the manifold from sliding in a giving surface.

4. Claim 31 is rejected under 35 U.S.C. 102(b) as being anticipated Dorn (US 4,944,694) in view of Frechette (US 6,138,853).

Regarding claim 31, Dorn discloses the claimed invention except for the manifold further comprises means for skid-resistance. Frechette teaches a manifold having skid resistance means. It would have been obvious to one of ordinary skills in the art at the time the invention was made to make Dorn's manifold with skid-resistance means to provide means for preventing the manifold from sliding in a giving surface.

Response to Arguments

5. Applicant's arguments with respect to claims 15-28 have been considered but are moot in view of the new ground(s) of rejection.

6. Applicant's arguments with respect to claim 29 have been fully considered but they are not persuasive.

The Applicant argues that Dorn (US 4,944,694) does not teach a portable power outlet protection system comprising a child resistant means for securing said portions in a closed position. The Examiner's disagrees and points out that Dorn teaches a portable power outlet having child resistant means (8, column 2 lines 26-30) for securing said portions in a closed position. Furthermore, MPEP 2111 states that the claims must be given their broadest reasonable interpretation consistent with the supporting description, therefore Dorn's latch (8) can be a child resistant means because it can prevent a child from unlocking the portions.

Conclusion

7. Any inquiry concerning this communication should be directed to Angel R. Estrada at telephone number (571) 272-1973. The Examiner can normally be reached on Monday-Friday (8:30 -5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego Gutierrez can be reached on (571) 272-2245. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) OR 571-272-1000.

August 11, 2008

/Angel R. Estrada/

Primary Examiner, Art Unit 2831